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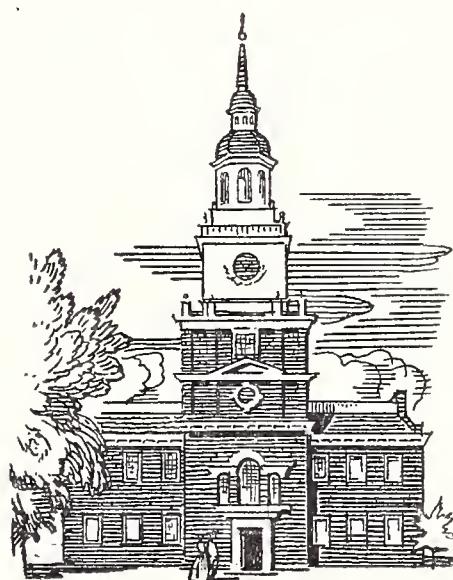
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PENNSYLVANIA
and the
FEDERAL CONSTITUTION



*Issued in Commemoration of the
175th Anniversary of the Constitution
of the United States*

Commonwealth of Pennsylvania
The Pennsylvania Historical and Museum Commission
Harrisburg, 1964

DOCUMENTS SECTION

PENNSYLVANIA
and the
FEDERAL CONSTITUTION

By
Donald H. Kent
Irwin Richman

Issued in Commemoration of the One Hundred
and Seventy-Fifth Anniversary of the
Constitution of the United States

Commonwealth of Pennsylvania
Pennsylvania Historical and Museum Commission
Harrisburg, 1964

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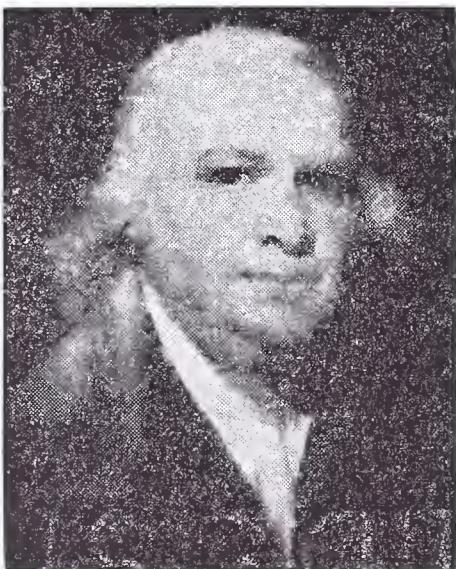
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FOREWORD

This booklet dealing with Pennsylvania's notable part in the development, making, and adoption of the Constitution of the United States has had a long printing history. It appeared originally in 1942 as a sixteen-page mimeographed bulletin in the Commission's war-time "Pennsylvania, Keystone of Democracy" Series. In 1953 it was revised and abridged to make a four-page leaflet, No. 8 in the Historic Pennsylvania Leaflet Series. Now, in commemoration of the 175th anniversary of the adoption of the Federal Constitution, it has again been revised and expanded, with the addition of new material, suggestions on further reading, and many illustrations.

The 1942 and 1953 versions were the work of Donald H. Kent, now Director of the Bureau of Research, Publications, and Records. Irwin Richman, Assistant Historian, prepared the present version under the editorial direction of Mr. Kent. Grateful acknowledgement is extended to Joseph J. Kelley, of the Pennsylvania State Chamber of Commerce, and a member of the Pennsylvania United States Constitution 175th Anniversary Commission, for reading the manuscript and offering many helpful suggestions.

SYLVESTER K. STEVENS
Executive Director



ROBERT MORRIS
(1734-1806)

A native of England, Morris turned up in Maryland at age thirteen, and was soon put in school at Philadelphia. His formal education, however, soon ended, and he entered the business world. The financial knowledge he acquired was put to good use during our war for independence, and he has often been called the "Financier of the American Revolution." He was present at many of the Convention's sessions and voted, but he made no lengthy speeches.

Courtesy, Historical Society of Pennsylvania.

BENJAMIN FRANKLIN
(1706-1790)

A native of Boston, it has been said of Franklin that "he was born in Philadelphia at age seventeen." Eighty-one years of actual age when the Convention met, the venerable Franklin was the President of Pennsylvania. His many and distinguished services to America made him greatly respected by the other convention delegates, but his poor health kept him from taking an active part in the debates, and his speeches were read for him by James Wilson.

Courtesy, Historical Society of Pennsylvania.





Pennsylvania and the Federal Constitution

On December 12, 1787, one hundred seventy-five years ago, Pennsylvania became the first of the large states to ratify the new United States Constitution. Only little Delaware which had ratified five days earlier preceded our State. Even this fact has a Pennsylvania association because until 1701 Delaware was part of "Penn's Woods." Here the child led and the parent followed! It is not surprising that we were prompt with our ratification; after all, Pennsylvania had early taken a leading part in the evolution of the idea of an American Union.

PENNSYLVANIA ORIGINS OF THE AMERICAN UNION

The Constitution which in 1789 bound the states into a firm and lasting national union was the result of the development of an idea of such a union which may be traced back far in the annals of Pennsylvania, even to her founder William Penn, who published a "Plan for a Union of the Colonies in America." Penn proposed in 1697 that two representatives from each colony should meet annually in a "Congress" at some central location "to hear and adjust all matters of complaint or difference be-

twcen province and province," to provide for defense, and to "adjust and balance their affairs in all respects for their common safety." The Governor of New York as the "King's High Commissioner" would preside over the Congress and command the colonial armies in war time.

Penn's forward-looking proposal was ignored, but in 1754 a similar suggestion was made by another noted Pennsylvanian, Benjamin Franklin. His "Plan of Union" presented at the Albany Congress, a meeting of delegates from various colonies to make plans for defense on the eve of the French and Indian War, called for a union of the colonies under a Grand Council appointed by the colonial assemblies and a President-General appointed by the Crown. At Albany, only the Connecticut delegation opposed the plan, but neither the colonial assemblies nor the British government would accept it.

Such proposals were doomed to failure until the quarrel with the mother country over American rights gave rise to definite steps in the direction of union. When the colonies — Pennsylvania among them — needed to take common action against a common danger, they sent delegates to conferences or congresses which could decide on proper measures. The Stamp Act Congress of 1765 and the Continental Congresses had no constitutional basis, but they were nevertheless manifestations of a movement towards union which became more and more evident as actual war began and the idea of independence gained support. By 1775 the Congress was using the term *United Colonies of North America*, and the great Declaration of the following year proclaimed the independence of the *United States of America*.

THE ARTICLES OF CONFEDERATION

The next step on the road to union was the drawing up and adoption of the Articles of Confederation. Always one to anticipate a need, Benjamin Franklin in July, 1775, drew up and presented to Congress his plan for the Articles. Congress, now displaying typical hesitation, waited until July 7, 1776, before appointing a committee to prepare a draft of this first United States Constitution. Drawn up by John Dickinson of Pennsylvania and incorporating many of Franklin's suggestions, it was presented to Congress on July 12, 1776. After extended discussion and many alterations, the Continental Congress, meeting at York, finally agreed to the "Articles of Confederation and Perpetual Union" on November 15, 1777. Pennsylvania, acting on July 12, 1778, was among the first to ratify the Articles, but others lagged, and by the time that the last state ratified in 1781 the weaknesses of the Confederation were becoming only too apparent.

The new government of the United States was managed by a Congress of one house which voted by states and not by individuals. The vote of nine states was necessary to pass any important measure, and the Articles themselves could be amended only by unanimous consent of the states. Congress had no power to levy taxes, and its only source of the funds needed to meet the cost of war and of the central government was to make

THOMAS MIFFLIN
(1744-1800)

A Philadelphian by birth, Mifflin had a many-sided career as a merchant, soldier, and statesman. As president of Congress, it was his duty to accept Washington's commission when the General returned it on December 23, 1783. As Speaker of the Pennsylvania Assembly, which was in session during much of the period that the Convention met, Mifflin could not take a very active part in the debates, but he was in full sympathy with the Constitution which emerged.

Courtesy, Historical Society of Pennsylvania



GEORGE CLYMER
(1739-1813)

A native Philadelphian, Clymer was a well-connected merchant who displayed indefatigable energy in serving his State and nation. An early patriot, he was a signer of the Declaration of Independence. As a member of the Pennsylvania Assembly which met at the same time as the Convention, Clymer had to divide his time. He spoke little, but he served upon important financial committees.

requisitions from the states. As Congress had no power to enforce payment, this in fact amounted to begging for contributions, resulting in what George Washington called a "limping, half-starved government."

The finances of the Confederation, which were propped up during the war by foreign and internal loans, rapidly fell into chaos at the conclusion of the Revolution, and this gave much concern to Pennsylvanians. The Keystone State had always paid a large proportion of her requisitions and, during most of one year, was the only state to pay. Robert Morris, Haym Salomon, Thomas Willing, and other wealthy citizens of Philadelphia had lent large sums to the patriot cause. Pennsylvania had many reasons, both patriotic and financial, to favor every move to strengthen the national government. In 1781, the Assembly agreed to Congress' request for power to levy a five per cent tariff on imports, and five years later it repeated this grant of power. Both times, however, several of the other states failed to agree, and the amendment failed. As a temporary measure the Assembly arranged to pay the interest on all United States certificates held by Pennsylvanians.

The states began to squabble among themselves, and when the unhappy news reached Europe the new nation's prestige sank. The state governments began to levy tariffs not only on goods imported from abroad but on imports from neighboring states. Tariff wars broke out, and at the same time sectional differences became so pronounced that some men advocated the breakup of the Confederation into three separate confederacies: New England, a Southern Confederacy, and a Middle Confederacy including Pennsylvania, New Jersey, Delaware, Maryland, and possibly New York.

STRENGTHENING THE UNION

The year 1785 saw the first of the steps which led to the making of a new and stronger constitution. Representatives of Virginia and Maryland met at Mount Vernon to discuss certain problems of commerce, especially in regard to the navigation of the Potomac River, and soon realized that their problems had wider implications. Knowing that other states had similar matters to deal with, they proposed that a larger and more general conference be held at Annapolis, Maryland, the following year. Pennsylvania readily participated, but only four other states sent delegates to the conference which met in Maryland's Capitol in September, 1786. A former Pennsylvanian, John Dickinson, now of Delaware, was elected chairman of the conference, but not enough states were represented to accomplish anything definite. Alexander Hamilton, delegate from New York, however, suggested that the conference urge a convention be held in May, 1787, at Philadelphia, to consider measures for the strengthening of the central government.

On February 1, 1787, Congress finally heeded the suggestion of the Annapolis conference by passing a resolution which authorized the Federal Convention. But even before this action was taken, Virginia, New

Jersey, Pennsylvania, North Carolina, and Georgia had provided for sending delegates. By the act of December 30, 1786, the General Assembly of Pennsylvania had appointed seven delegates, and on March 28, 1787, it added an eighth — Benjamin Franklin, the greatest living Pennsylvanian.

THE CONVENTION DELEGATES

The Pennsylvania delegation to the Federal Convention was the largest sent by any state, and among the most distinguished. Of the six signers of the Declaration of Independence who signed the Constitution, four came from Pennsylvania. The State's delegates were all residents of Philadelphia, and they received neither salaries nor expenses. The incomparable Franklin was joined by James Wilson, Gouverneur Morris, George Clymer, Thomas Fitzsimmons, Jared Ingersoll, Robert Morris, and Thomas Mifflin.

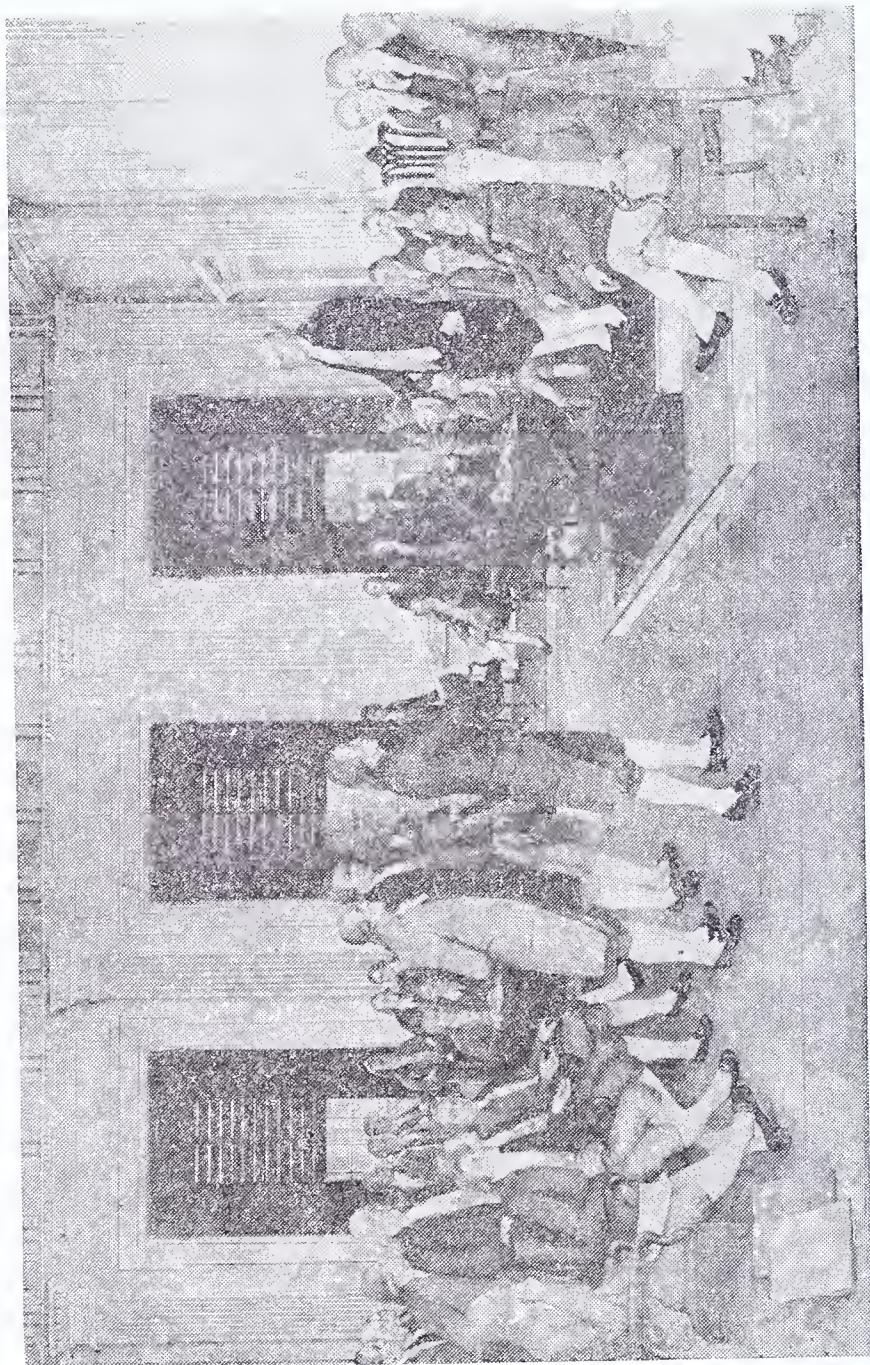
The delegations from other states were also outstanding. Among Virginia's members were George Washington, James Madison, Edmund Randolph, and George Mason. John Dickinson led the Delaware delegation, while Alexander Hamilton was a member from New York. Two delegates, Gunning Bedford of Delaware and Hugh Williamson of North Carolina, were Pennsylvanians by birth.

PENNSYLVANIA AND THE CONSTITUTIONAL CONVENTION

The convention was scheduled to open on Monday, May 14, 1787, but only Pennsylvania and Virginia were represented on that day. Bad weather delayed many of the delegates, and a quorum to conduct business was not obtained for two weeks. This time was not entirely wasted, however, for the Pennsylvania and Virginia members held a number of informal conferences, at which they agreed upon a common course of action. As both were large and wealthy states, they had a great deal in common. Exactly what took place during these discussions has never been known, but it may be safely assumed that the Virginia plan for a constitution was examined in detail, and that the two state delegations established the cordial relations which were apparent during the Convention.

At the opening session on May 25, Robert Morris in the name of the Pennsylvania delegation nominated George Washington as president of the Convention. No one else was nominated, and the General was unanimously elected. Several days were then spent in reading the credentials of the delegates, and in formulating rules of order. In this connection Gouverneur Morris first raised an issue which was later to be the most serious difficulty facing the Convention. He proposed that the states should vote according to their population, rather than that each state should have but one vote. Virginia's members, however, fearing that the small states might be antagonized and withdraw from the Convention, succeeded in killing this suggestion, but not the theory it represented.

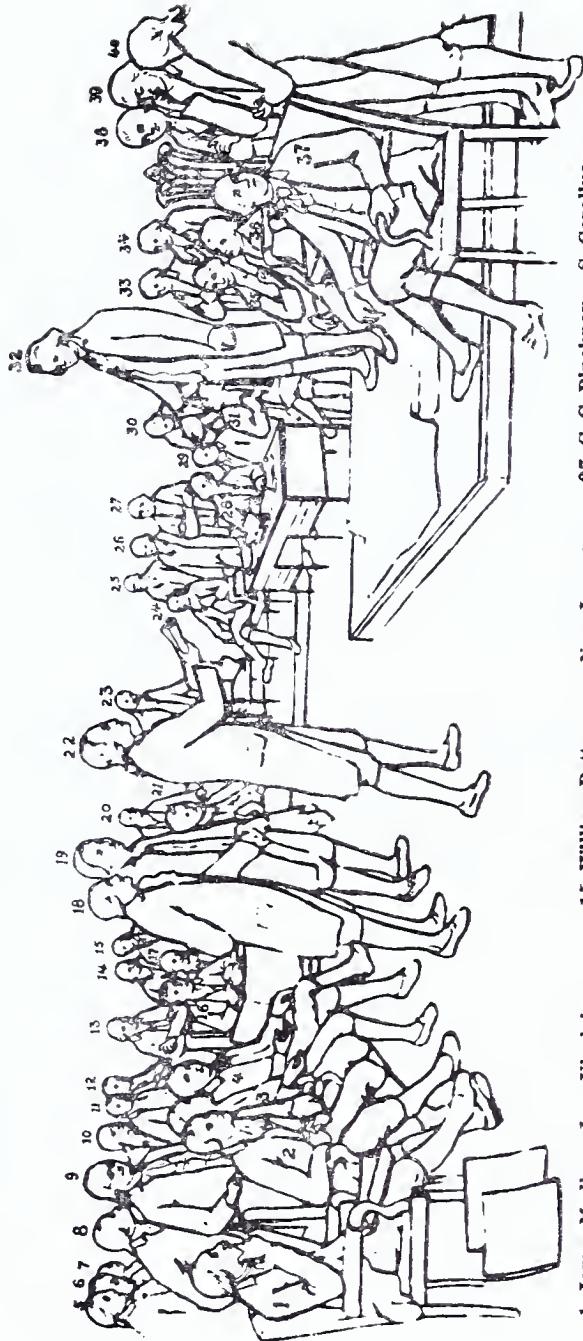
The work of the Convention really began on May 29, when Edmund



Painting by J. W. Froehlich in the Pennsylvania State Museum.

ADOPTION OF THE UNITED STATES CONSTITUTION.

In Congress at the Independence Hall, Philadelphia, Penna. Sept. 17, 1787.



- 1 James Madison, Jr.—Virginia.
- 2 Charles Pinckney.—S. Carolina.
- 3 Jacob Broom.—Delaware.
- 4 Rufus King.—Massachusetts.
- 5 John Langdon.—New Hampshire.
- 6 John Blair.—Virginia.
- 7 Richard D. Spaight.—N. Carolina.
- 8 Pierce Butler.—S. Carolina.
- 9 Benjamin Franklin.—Pennsylvania.
- 10 Jonathan Dayton.—New Jersey.
- 11 William Blount.—N. Carolina.
- 12 Richard Bassett.—Delaware.
- 13 Abraham Baldwin.—Georgia.
- 14 George Washington.—Virginia. President of Congress.
- 15 William Patterson.—New Jersey.
- 16 Gouverneur Morris.—Pennsylvania.
- 17 Jared Ingersoll.—Pennsylvania.
- 18 James Wilson.—Pennsylvania.
- 19 Nathaniel Gorham.—Massachusetts.
- 20 William Livington.—New Jersey.
- 21 Robert Morris.—Pennsylvania.
- 22 John Rutledge.—S. Carolina.
- 23 William Few.—Georgia.
- 24 Wm. S. Johnson.—Connecticut.
- 25 Thomas Mifflin.—Pennsylvania.
- 26 James McHenry.—Maryland.
- 27 C. C. Pinckney.—S. Carolina.
- 28 George Clymer.—Pennsylvania.
- 29 George Read.—Delaware.
- 30 David Brearley.—New Jersey.
- 31 Daniel of St. Thomas Jenifer.—Maryland.
- 32 George Washington.—Virginia.
- 33 Daniel Carroll.—Maryland.
- 34 George Read.—Delaware.
- 35 Hugh Williamson.—N. Carolina.
- 36 Gunning Bedford, Jr.—Delaware.
- 37 Alexander Hamilton.—New York.
- 38 Roger Sherman.—Connecticut.
- 39 John Dickinson.—Delaware.

Randolph presented the fifteen-resolution Virginia Plan, which was essentially the outline from which the Constitution was developed. Referred to the Committee of the Whole for discussion, it immediately raised an important question, whether the purpose of the Convention was merely to amend the Articles of Confederation, or to create a new Constitution. It was finally resolved, with Pennsylvania voting in the affirmative, "that a national government ought to be established consisting of a supreme Legislative Executive and Judiciary." This meant, in effect, that the Articles would be disregarded.

Argument then arose over the details of the Virginia Plan, the election of the lower and upper houses, and related questions. The New England members, fresh from their experiences with Shays' Rebellion (1786-1787) and like troubles, opposed election by the people, and thought that the state legislatures should appoint representatives to Congress. Pennsylvania members, and especially James Wilson, spoke out for popular government. In the words of Madison,

Mr. Wilson contended strenuously for drawing the most numerous branch of the Legislature immediately from the people. He was for raising the federal pyramid to a considerable altitude, and for that reason wished to give it as broad a basis as possible. No government could long subsist without the confidence of the people. In a republican Government this confidence was peculiarly essential.

Wilson thought both branches of the national legislature ought to be chosen by the people.

The Convention voted in favor of the election of the lower house by the people, but could not come to agreement on the method of electing the upper house or Senate. Then a familiar problem once again cropped up to plague the delegates. Pennsylvania and the other large states wanted representation in both houses to be proportionate to population, while the small states, like New Jersey, Connecticut, and Delaware, wanted equal representation for all states.

William Paterson of New Jersey summed up the wishes of the small states in the New Jersey Plan, presented to the Convention on June 15. This plan called for the mere amendment and strengthening of the Articles of Confederation, leaving Congress as it was, but granting it considerable powers of taxation as well as the power to regulate commerce. Of course, it was not adopted, but it made a contribution to the final document by proposing for the first time that the Constitution and the treaties made under it should be the supreme law of the land.

The essential issue was now plain, whether the powers of the federal government were to be derived from the people or from the states. James Wilson, in replying to the advocates of the New Jersey Plan, presented a careful analysis of the details of the two plans. Doubting that the sentiments of the people were opposed to a strong national government he said that the feelings

of the particular circle in which one moved, were commonly mistaken

for the general voice. He could not persuade himself that the State Govts. and Sovereignties were so much the idols of the people, nor a Natl. Govt. so obnoxious to them, as some supposed. Why should a Natl. Govt. be unpopular? Has it less dignity? Will each Citizen enjoy under it less liberty or protection? Will a Citizen of *Delaware* be degraded by becoming a Citizen of the *United States*?

This speech was one of the most effective made during the Convention. Madison of Virginia concluded the argument for the large state contingent on June 19, with the result that the Virginia Plan was again approved by the majority. Still the opposition of the small states was not weakened, and many members felt that a breakup of the Convention was imminent. Benjamin Franklin spoke in favor of compromise:

The diversity of opinions turns on two points. If a proportional representation takes place, the small States contend that their liberties will be in danger. If an equality of votes is to be put in its place, the large States say their money will be in danger. When a broad table is to be made, and the edges of planks do not fit, the artist takes a little from both, and makes a good joint. In like manner here both sides must part with some of their demands, in order that they may join in some accommodating proposition.

Already the basis for such a compromise had been suggested by Connecticut delegates, namely to give the states equal votes in the Senate, if the House were to be elected in proportion to population. Ellsworth of Connecticut said that "the few should have a check upon the many." In the end a committee of one member from each state was appointed to work out a compromise plan. Pennsylvania's member was Benjamin Franklin, whose motion in the committee gave practical form to Connecticut's suggestion. It was finally agreed that each state should have one Representative in the House for every 40,000 inhabitants, and that the House should originate all bills for raising or appropriating money, while each state would have an equal vote in the Senate. This concept was still opposed by the large states, but the Great Compromise finally passed on July 16.

This quieted the fear of the small states that a strong national government might be dominated by the large states, and now the work of the Convention was not again threatened by serious controversy. The members proceeded to consider and develop the other features of the Virginia Plan, providing for the system of checks and balances which characterizes the American federal government. Congress, the President, and the Supreme Court, the three great branches of government, were given definite but adequate powers, yet the rights of the states were carefully safeguarded.

The subject of the President's election and term of office gave rise to lengthy discussions. James Wilson and Gouverneur Morris favored election by the people, but when the question of direct popular election was put to the vote only Pennsylvania voted in the affirmative. A variety of other methods were proposed and seriously considered, election by Con-

gress, election by the state governors, and election by electors chosen in various ways. Not until the last days of the Convention was the present electoral college system of selecting the President adopted, and then largely because of the forceful arguments of Gouverneur Morris. Although it fell short of what Pennsylvania originally desired, the plan at least gave the people, and not Congress, the determining voice in the election of the chief executive.

The results of the Convention's work thus far were turned over to a Committee of Detail, which was to prepare a constitution embodying the various decisions. Wilson, Pennsylvania's member of the Committee, did most of the actual writing and compilation of this first draft of the Constitution. His committee reported on August 6, and for five weeks the Convention analyzed, questioned, and argued over every clause and section of the document. A Committee on Style and Arrangement was then appointed, of which Gouverneur Morris was the leading member, for it was he who actually wrote the final draft of the Constitution. The most important new feature added by this committee was the Preamble beginning "We the People of the United States." It is said that James Wilson, though not a member of the committee, had some share in writing the version we all know. The finished Constitution was approved by the Convention on September 15, and formally adopted and signed on September 17. It was to go into effect when ratified by conventions in at least nine of the states.

Pennsylvania's leadership in the framing of the Federal Constitution had been all-important. She had furnished two principal leaders of the Convention, and her delegation had supported every move to strengthen the national government. Now the Keystone State was again to display leadership, this time in the fight for ratification.

PENNSYLVANIA'S RATIFICATION OF THE CONSTITUTION

The General Assembly of Pennsylvania was meeting in another room of the State House (Independence Hall) at the very time when the Convention adjourned, and it heard the Constitution read on the following day, September 18. The Philadelphia newspapers printed the historic document on September 19, and it was now before the people of Pennsylvania for approval or disapproval. The lines of the party struggle over its adoption soon formed.

Pennsylvania then as now had two major parties. The radical party which had overthrown the proprietary government, drafted the State constitution of 1776, and dominated the State during the Revolution, tended to oppose the new Federal Constitution, if only because the conservative party had been instrumental in making it. The conservatives, however, controlled the Assembly, and took swift and determined action to obtain ratification.

The radicals, or Anti-Federalists, attempted to gain time. First, they argued for delay on the grounds that Congress had not yet formally

transmitted the Constitution to the states. Congress, meeting in New York City, did not do this until the afternoon of September 28. On the morning of the same day, however, George Clymer rose in the Assembly to move that a ratifying convention be called, a timely action as the Assembly had set the following day for its adjournment. The preliminary motion was carried by a vote of 43 to 19.

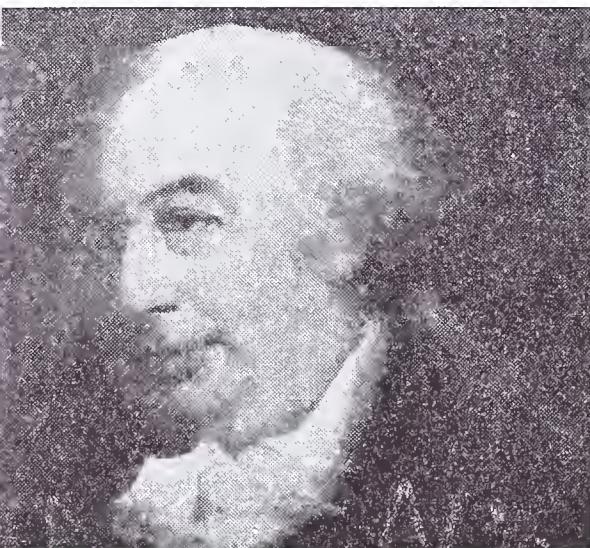
The Anti-Federalists then tried to block action on Clymer's motion. Their nineteen members refused to attend the session, thus preventing a quorum, and holding up any action by the Assembly. Philadelphia people favoring the Constitution took a hand in the matter. Two Anti-Federalist members were found in their boarding-house, dragged to the State House, and shoved into the Assembly, which had just received formal notice of Congress's action. Over the heated protests of the two would-be absentees, the Assembly called the ratifying convention, to be elected on November 6, and to meet on November 21 at Philadelphia.

The Federalists won an overwhelming victory in the election of the ratifying convention, with a slate which included such prominent men as Benjamin Rush, Thomas McKean, Frederick Muhlenberg, and James Wilson. The only member of the Federal Convention to serve in the State convention, Wilson led the Federalist forces in the struggle for ratification, and was ably supported by Thomas McKean, then the chief justice of the Supreme Court of Pennsylvania. The Anti-Federalists also sent outstanding men such as William Findley, John Smiley, and the two Whitehill brothers, who represented the democratic views of the frontier counties.

Every one knew, of course, that the outcome of the convention's deliberations would be in favor of ratification, but the Constitution was fully discussed, and the debates were extremely significant. The chief point made by the Anti-Federalists was that the Constitution lacked any guarantee of personal liberties such as Pennsylvanians possessed in their own Bill of Rights. Wilson argued that the single sentence, "We the People of the United States . . . do ordain and establish," was better than a bill of rights: "[It] contains the essence of all the bills of rights that have been or can be devised; for it establishes at once, that in the great article of government, the people have a right to do what they please." The minority was not convinced by Wilson's reasoning, and on the day of the final vote Robert Whitehill proposed fifteen amendments constituting a Bill of Rights. He urged that the convention adjourn and delay ratification until these amendments had been adopted. Wilson, for the majority, called this an odious attempt "to prevent the adoption of this or any other plan of confederation." The great and important vote was then taken, and the convention ratified the Constitution by a vote of 46 to 23.

PENNSYLVANIA AND THE BILL OF RIGHTS

The losing party, nevertheless, had an important contribution to make. The efforts of this determined minority in Pennsylvania, and of similar



GOUVERNEUR MORRIS
(1752-1816)

The brilliant and talkative Gouverneur Morris, who spoke 173 times, was a delegate from Pennsylvania, although he was really a New Yorker. He had become a banker and lawyer in Philadelphia a few years before the Convention, but in later years he returned to his native state. The urbane and witty "bad boy" of the Convention, he was not afraid to raise unpleasant questions. Though he had a wooden leg and a crippled arm, he resembled Washington in physical appearance, and in later life sat as a model for Houdon's famous statue of the first President.

THOMAS FITZSIMMONS
(1741-1811)

A native of Ireland, of whom no known portrait exists, Fitzsimmons is represented here by a conjectural likeness created by Mr. Herbert Klein in 1937 at the time of the commemoration of the 125th anniversary of the drafting of the Constitution. As a boy, Fitzsimmons emigrated to Philadelphia where he became a successful merchant before turning to public service. At the Convention, he took part in the debates actively advocating a strong national government. He signed the Constitution as Thomas Fitz Simons, but other spellings of his name are more widely used.



parties in other states, led directly to the adoption of the first ten amendments to the United States Constitution, the Bill of Rights. Whitchill's unsucessful motion in the Pennsylvania convention had most of the ideas which Madison later used in drafting these amendments.

The Anti-Federalists did not remain quiet after their defeat, but continued to agitate for changes in the Constitution, even after nine states had ratified and the new Federal government had been established. In September, 1788, they held a convention at Harrisburg, attended by delegates from fourteen counties. For a time the Federalists feared that their opponents might decide to obstruct the new government, but these fears proved groundless. The resolution which the Harrisburg meeting passed advised the people to accept the new national government, but demanded the adoption of twelve amendments which would safeguard the rights of the people and the states. Similar demands were made in other states.

The moderates among the Federalists pointed out the mild nature of the Harrisburg proposals, a spirit of compromise began to develop, and President Washington in his inaugural address suggested the wisdom of removing objections to the Constitution by amendments. By 1789 twelve amendments received the necessary two-thirds majority in Congress and were submitted to the states. These were not the same as the amendments proposed by the Harrisburg convention, but they carried out the same idea of preventing misuse of governmental powers. Ten of the amendments were ratified by the Pennsylvania Assembly on March 10, 1790, without party opposition. The necessary three-fourths of the states ratified the same ten amendments by December 15, 1791, and the famous Bill of Rights became part of the Constitution. Both the majority and minority parties of Pennsylvania thus contributed to the making of this fundamental American document.

PENNSYLVANIA AND THE FUTURE OF MANKIND

Pennsylvania did much to establish the Constitution of the United States and the principles of freedom which it implies. Throughout our national history we have been strong supporters of the American union, giving freely of men and wealth in many a critical hour. The Keystone State has been an Arsenal of Democracy, not only in a material sense, but in the realm of ideals. She has helped to form the democratic principle of liberty under law which today is the dream of mankind's tomorrow.

Thus the strangely prophetic words of James Wilson, in his closing address before the Pennsylvania convention, have an enduring meaning:

By adopting this system, we shall probably lay a foundation for erecting temples of liberty in every part of the earth. It has been thought by many, that on the success of the struggle America has made for freedom, will depend the exertions of the brave and enlightened of other nations. The advantages resulting from this system will not be confined, to the United States. . . . It will be subservient to the great

JARED INGERSOLL
(1749-1822)

A Yankee from Connecticut, Ingersoll moved to Philadelphia after being graduated from Yale University. In 1773 his Loyalist father sent him to England to further his study of law. Oddly enough, it was there that Jared was converted from the loyalist to the patriot cause. One of the great legal minds of his day, it is said that he often gave advice to members on the difficult legal problems involved in the making of the Constitution, but he took little part in the debates.

Courtesy, Society for the Preservation of New England Antiquities.



JAMES WILSON
(1742-1798)

Scottish born, Wilson had come to Philadelphia in 1765. He had studied law in the leading universities of Scotland, where his classmates included such men as Adam Smith, the author of *The Wealth of Nations*, David Hume, the historian and philosopher, and James Watt, inventor of the steam engine. With such a background, he was counted among the ablest lawyers of this time, and his deep understanding of political science made him one of the principal architects of the Constitution. Active in all the Convention debates, he spoke 168 times, more often than any other member except Gouverneur Morris.

Courtesy, National Collection of Fine Arts,
Smithsonian Institution.

designs of Providence, with regard to this globe; the multiplication of mankind, their improvement in knowledge, and their advancement in happiness.

SUGGESTIONS FOR FURTHER READING AND STUDY

Since most books written about the Constitution or about the period leading up to its making touch in some measure upon Pennsylvania or Pennsylvanians, it is rather difficult to suggest a brief list of readings. A reader wishing to learn more should visit his local library and consult the card catalog, which will list a number of well-known works. Those who wish to pursue their studies further should consult the relevant works listed in Norman B. Wilkinson (comp.), *Bibliography of Pennsylvania History* (Harrisburg: Pennsylvania Historical and Museum Commission, 1957), and Oscar Handlin and others (eds.), *Harvard Guide to American History* (Cambridge: Harvard University Press, 1960).

Two useful works devoted to Pennsylvania and the Constitutional period are Robert L. Brunhouse, *The Counter-Revolution in Pennsylvania, 1776-1790* (Harrisburg: Pennsylvania Historical Commission, 1942) and John B. McMaster and Frederick D. Stone, *Pennsylvania and the Federal Constitution* (Lancaster: Inquirer Printing and Publishing Company, 1888).

An excellent starting point for the study of the making of the Constitution is Earl Latham (ed.), *The Declaration of Independence and the Constitution* (Boston: D. C. Heath, 1956), a work in the "Amherst Series" which contains extracts from the writings of several prominent historians.

For useful studies of the period and the deeds which made it great see Carl Becker, *Heavenly City of the Eighteenth Century Philosophers* (New Haven: Yale University Press, 1932); Sol Bloom, *The Story of the Constitution* (Washington, D. C.: United States Constitution Sesquicentennial Commission, 1937); Harold D. Eberlein and Cortland V. Hubbard, *Diary of Independence Hall* (Philadelphia: J. B. Lippincott Co., 1948); Max Farrand, *Framing of the Constitution of the United States* (New Haven: Yale University Press, 1913); Merrill Jensen, *The New Nation, 1781-1789* (New York: Knopf, 1950); Robert A. Rutland, *The Birth of the Bill of Rights* (Chapel Hill: University of North Carolina Press, 1955); Nathan Schaechner, *The Founding Fathers* (New York: Putnam, 1954); Carl C. Van Doren, *The Great Rehearsal* (New York: Viking Press, 1948); and Charles Warren, *Congress, The Constitution, and the Supreme Court* (Boston: Little Brown and Co., 1925).

The most widely known book about the Constitution is probably Charles A. Beard, *An Economic Interpretation of the Constitution of the United States* (New York: Macmillan, 1913). Two books which do not agree with Beard's conclusions are Robert E. Brown, *Charles Beard and the Constitution* (Princeton: Princeton University Press, 1956), and Forrest McDonald, *We the People: The Economic Origins of the Constitution* (Chicago: University of Chicago Press, 1958).

Biographies of the men who made the Constitution are extremely

valuable sources of information. For brief studies see *The Dictionary of American Biography*. Useful individual studies are Irving Brant, *James Madison*, Volume III (Indianapolis: Bobbs Merrill, 1956); Kenneth R. Rossman, *Thomas Mifflin and the Politics of the American Revolution* (Chapel Hill: University of North Carolina Press, 1952); Nathan Schachner, *Alexander Hamilton* (New York: D. Appleton-Century Co., 1946); Charles P. Smith, *James Wilson, Founding Father, 1742-1798* (Chapel Hill: University of North Carolina Press, 1956); and Carl C. Van Doren, *Benjamin Franklin* (New York: Viking Press, 1938).

For those wishing to read ideas of the Founding Fathers in their own words *The Federalist* is invaluable. It is available in numerous editions. James Madison's journal of the proceedings of the Federal Convention and other important sources on the making of the United States Constitution are published in *Documents Illustrative of the Formation of the Union of the American States* (Washington, D. C.: Government Printing Office, 1927).



